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PP RUEHWEB

DE RUEHSM #0510 1990724  
ZNR UUUUU ZZH  
P 170724Z JUL 08  
FM AMEMBASSY STOCKHOLM  
TO RUEHC/SECSTATE WASHDC PRIORITY 3609  
INFO RUEHCP/AMEMBASSY COPENHAGEN 3153  
RUEHLO/AMEMBASSY LONDON 0493  
RUEHMO/AMEMBASSY MOSCOW 1215  
RUEHNY/AMEMBASSY OSLO 2483

UNCLAS STOCKHOLM 000510

SENSITIVE  
SIPDIS

EUR FOR NB

E.O. 12958: N/A  
TAGS: [EINT](#) [PTER](#) [PINR](#) [PGOV](#) [RU](#) [SW](#)  
SUBJECT: EUROPEAN COURT TO REVIEW SWEDEN'S SNOOP LAW;  
RUSSIA A TARGET OF LAW

REF: STOCKHOLM 450

SENSITIVE BUT UNCLASSIFIED--PLEASE PROTECT ACCORDINGLY.

¶1. (U) Summary: On July 14, Sweden-based Justice Center (CFR) announced it will refer Sweden's new surveillance law to the European Court of Human Rights (ECHR). Liberal Party parliamentarians have heavily criticized the law's vagueness. Nordic telecommunications businesses are considering moving operations out of Sweden. As 80 percent of Russia's foreign cable-based communications flow through Sweden, the law legalizes Sweden's monitoring of the majority of Russia's trans-border communications. End summary.

¶2. (U) CFR asserts that Sweden's new surveillance law (reftel) violates Article 8 and 13 of the European Convention on Human Rights because it vaguely describes its objectives and the manner in which information may be collected. CFR wants the Court to review the new law, as it did with similar laws from Germany in 2006 and the UK in 2008.

¶3. (U) The Parliament is out of session until September 16, but political back-lash to the law, mostly from Liberal Party parliamentarians, has increased in the past few weeks. These critics are opposed to the current law's vagueness, yet support improving Swedish surveillance legislation. Prime Minister Reinfeldt is the main target of criticism; his defense is that the law is "misunderstood." Nonetheless, the Alliance government has not run a public-awareness campaign in support of the law.

¶4. (U) Nordic telecommunications businesses have loudly protested the new law in the local media. TeliaSonera, Momail and Hi3G (3) stated they are considering relocating servers out of Sweden to protect customers from the law. In an op-ed piece to a major local paper, CEOs from eight large IT and telecom companies heavily criticized the law for:

- deviating from the EU norm;
- potentially unseating Sweden from its position as IT leader in Europe; and
- creating unnecessary costs for the telecom industry.

¶5. (SBU) The Swedish newspaper Svenska Dagbladet recently asserted that the motivation behind the new law is to legalize the National Defense Radio Establishment's (FRA) monitoring of Russian communications. Approximately 80 percent of Russia's foreign communications pass through communications cables on Swedish soil. The Russian Embassy's Press Secretary, Anatoli Gargatova, told poloff the Russian government has not officially commented on the new law and the Embassy does not plan to discuss it with the Swedes. Gargatova said the Duma's Head of Foreign Affairs Committee,

Konstantin Kosachov, recently raised the topic at the Duma and plans to take the issue to the European Council. (Note: Kosachov was second secretary at the Russian Embassy in Stockholm in the mid-1990s. End note.)  
SILVERMAN